S. HRG. 99-79

NEBRASKA WILDERNESS ACT OF 1985

HEARING

BEFORE THE

SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION

OF THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

NINETY-NINTH CONGRESS

FIRST SESSION

ON

S. 816

A BILL TO ESTABLISH THE PINE RIDGE WILDERNESS AND SOLDIER CREEK WILDERNESS IN THE NEBRASKA NATIONAL FOREST IN THE STATE OF NEBRASKA, AND FOR OTHER PURPOSES

JUNE 20, 1985

Printed for the use of the
Committee on Energy and Natural Resources

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NEBRASKA WILDERNESS ACT OF 1985

THURSDAY, JUNE 20, 1985

U.S. SENATE, SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION, COMMITTEE ON ENERGY AND NATURAL RESOURCES,

Washington, DC.

The subcommittee met, pursuant to notice, at 10:03 a.m., in room SD-342, Dirksen Office Building, Hon. Malcolm Wallop, presiding.

Present: Senators Wallop and Hecht.

Also present: Tony Bevinetto, professional staff member; and Thomas B. Williams, professional staff member for the minority.

OPENING STATEMENT OF HON. MALCOLM WALLOP, A U.S. SENATOR FROM THE STATE OF WYOMING

Senator WALLOP. I want to wish everyone good morning. Today the Subcommittee on Public Lands, Reserved Water and Resource Conservation will hear testimony on S. 816, the Nebraska Wilderness Act of 1985, to designate certain National Forest System lands in the State of Nebraska for inclusion in the National Wilderness Preservation System, to release other forest lands for multiple use, and for other purposes.

Without objection, we will place a copy of the bill and the Department of Agriculture report in the hearing record.

Many people are probably not aware that there is a Natioal Forest System land in Nebraska. However, I understand a portion of the present Nebraska National Forest was reserved prior even to the establishment of the Forest Service in 1905.

I will ask the witnesses to summarize their written testimony. Complete written statements will be printed in the hearing record, and the hearing record will remain open for 2 weeks from today.

[The text of S. 816 and the Department of Agriculture report follow:]

II

99TH CONGRESS
1ST SESSION

S. 816

To establish the Pine Ridge Wilderness and Soldier Creek Wilderness in the Nebraska National Forest in the State of Nebraska, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 28 (legislative day, FEBRUARY 18), 1985

Mr. EXON introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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A BILL

To establish the Pine Ridge Wilderness and Soldier Creek Wilderness in the Nebraska National Forest in the State of Nebraska, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Nebraska Wilderness Act of 1985".

WILDERNESS DESIGNATION

SEC. 2. In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131-1136), the following lands in the State of Nebraska are hereby designated as wilderness:

(1) certain lands in the Nebraska National Forest, which comprise approximately six thousand six hundred acres, as generally depicted on a map entitled "Pine Ridge Wilderness—Proposed", dated February 1985, and which shall be known as the Pine Ridge Wilderness; and

(2) certain lands in the Nebraska National Forest, which comprise approximately eight thousand one hundred acres, as generally depicted on a map entitled "Soldier Creek Wilderness—Proposed", dated February 1985, and which shall be known as the Soldier Creek Wilderness.

ADMINISTRATION OF WILDERNESS

SEC. 3. (a) Subject to valid existing rights and the provisions of subsection (b), the wilderness areas designated under section 2 shall be administered by the Secretary of Agriculture (hereinafter in this Act referred to as the "Secretary") in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

(b) In the administration of the wilderness in the State of Nebraska—

(1) grazing of livestock in wilderness areas established by this Act, if established prior to the date of

the enactment of this Act, shall be administered in accordance with section 4(d)(4) of the Wilderness Act and section 108 of Public Law 96-560; and

(2) the Secretary is directed to review all policies, practices, and regulations of the Department of Agriculture regarding livestock grazing in national forest wilderness areas in Nebraska in order to insure that such policies, practices, and regulations fully conform with and implement the intent of Congress regarding grazing in such areas, as such intent is expressed in this Act.

MAPS AND DESCRIPTIONS

SEC. 4. As soon as practicable after the date of the enactment of this Act, the Secretary shall submit a map and legal description of the wilderness areas designated by section 2 to the Committee on Energy and Natural Resources of the Senate and the Committee on Agriculture and the Committee on Interior and Insular Affairs of the House of Representatives. Such map and legal description shall have the same force and effect as if included in this Act, except that any clerical or typographical error in such map or legal description may be corrected. The Secretary shall place such map and legal description on file, and make them available for public inspection, in the office of the Chief of the Forest Service, Department of Agriculture.

WILDERNESS REVIEW CONCERNS

SEC. 5. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Nebraska and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest system lands in States other than Nebraska, such statement shall not be subject to judicial review with respect to national forest system lands in the State of Nebraska;

(2) with respect to the national forest system lands in the State of Nebraska, which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), that review and evaluation or reference shall be deemed for the purposes of the initial land management plans re-

quired for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Nebraska reviewed in such final environmental statement and not designated wilderness upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided,* That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Nebraska are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of Nebraska for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Manage-

ment Act of 1976, the term "revision" shall not include an "amendment" to a plan.

○

Circuit Court decision in the California v. Block case. Development activities have not been planned in either Pine Ridge or Soldier Creek proposals under the 1984 Forest plan and based upon on information we now have we believe there is low probability that any mineral development will occur. Absent congressional action, these two areas will be managed to maintain their suitability as wilderness until they are reevaluated in the next planned revision of the Forest plan, or until they are evaluated in an environmental impact statement if a development activity were proposed prior to the Forest plan revision.

The Department continues to recommend that the Pine Ridge proposal be designated wilderness as originally recommended by RARE II. The Department does not object to designation of the Soldier Creek proposal for a number of reasons. The Soldier Creek wilderness proposal includes most of the upper part of the Soldier Creek drainage. The lower portion of the Soldier Creek drainage is nearly all included within the Fort Robinson State Park. Both the Federal and State land in the Soldier Creek area have historical value. Fort Robinson, the site of a military installation in the late 1800's, was located near the confluence of Soldier Creek and White River. Soldier Creek which runs through the area is one of the more important trout fisheries in the State. The area proposed for wilderness is used by many recreationists because of its unique characteristics and its proximity to the State park. Many individuals and organizations in Nebraska also consider it the prime "wild" area in the State. Based on the present character and use of the area, including indications that there is low probability for mineral development, the Department does not object to Soldier Creek being designated as wilderness.

We support this bill and estimate that the surveying, planning, and related activities necessary to implement the wilderness designations in this bill would cost approximately $70,000 over the next 5 years.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

John R. Block

John R. Block
Secretary

Senator WALLOP. I am delighted that the lead-off witness today is my friend and colleague, Senator Exon, the distinguished senior Senator from the State of Nebraska.

Senator Exon.

STATEMENT OF HON. J. JAMES EXON, A U.S. SENATOR FROM THE STATE OF NEBRASKA

Senator EXON. Mr. Chairman, thank you so very much. We're delighted, as Nebraskans, to be here today. We're also delighted, Mr. Chairman, to see you, our friend and neighbor next door. I'm sure that you know a great deal about the area immediately adjacent to your great State of Wyoming which we're seeking wilderness designation for under the previous act.

Mr. Chairman, my comments will be brief this morning and to the point. I would like to start out, Mr. Chairman, to thank you and the subcommittee for scheduling a prompt hearing on my legislation S. 816, the Nebraska Wilderness Act of 1985.

It gave me great pleasure, Mr. Chairman, to introduce this legislation in March, and it gives me equal pleasure in presenting it to you today. I wish I could take you personally to the stunningly beautiful northwest portion of my State where Pine Ridge and Soldier Creek are located. I have spent a great deal of time in this area over the years, especially during my 8 years as Governor of Nebraska. I personally know of the beauty and the uniqueness of this area and how vital it is that it be protected and nourished by its designation under the Wilderness Act.

My legislation will establish the Pine Ridge and Soldier Creek Wilderness areas, currently part of Nebraska's National Forest. These would be the very first forest areas in Nebraska to be declared as such under the 1964 Wilderness Act. The Pine Ridge area would include 6,600 acres and the Soldier Creek area would encompass 8,100 acres. Both units have been managed as wilderness for years, and this legislation would ensure that this management continues uninterrupted for future generations of all Americans.

This bill is strongly supported by Nebraskans. It incorporates the release language agreed to in the 98th Congress and provides that current grazing activities will remain unaffected under those provisions.

Unlike many Western States, we have very little public land in Nebraska, only about 1 percent. Therefore, it is very important to manage these lands wisely, with an eye to the long-range future. I believe enactment of the Nebraska Wilderness Act of 1985 would be a tremendous investment in our future and those of our children and grandchildren.

This legislation has the support of my colleague, Senator Ed Zorinsky, Gov. Bob Kerrey, the Nebraska Game and Parks Commission and State Senator Sandra Scofield, in whose district both of these areas fall.

At this time, Mr. Chairman, I request that a supporting statement from Senator Zorinsky and letters of support from State Senator Scofield and Governor Kerrey be entered into the hearing record.

Senator WALLOP. Without objection, I would be delighted to include those.

[The material referred to follows:]

STATEMENT BY SENATOR EDWARD ZORINSKY

S. 816, THE NEBRASKA WILDERNESS ACT OF 1985

SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION

June 20, 1985

Mr. Chairman:

I am pleased to have this opportunity to submit testimony on behalf of S. 816, the Nebraska Wilderness Act of 1985, which I have cosponsored with my colleague, Senator Exon.

This legislation designates two of the most beautiful tracts of land in our state as wilderness areas under the auspices of the 1964 Wilderness Act. These expanses of native range and timberland are steeped in the history of the Old West, are home to a wide variety of flora and fauna, and are an integral part of the cultural heritage of the State of Nebraska.

The 8,100 acre Soldier Creek Wilderness, situated in the Northwestern corner of Nebraska is particularly primitive and unspoiled. The timbered savannah range area, formerly called the "Wood Reserve" for its role in supplying timber to the Fort Robinson Military Reservation in the 19th century, contains a history rich with the legends of the West and the American Indians. It will provide countless hours of enjoyment for present and future campers, hikers, skiers and fishermen.

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The 6,600 acres of Pine Ridge, are dotted with steep slopes and rimrock buttes. Located within the High Plains landform in Dawes County, it complements the surrounding public lands in such a way that visitors are treated to a type of solitude that, with our ever-burgeoning urban centers, is becoming more scarce every day.

I believe that the designation of these two sites in the Nebraska National Forest as Wilderness areas will maintain the aesthetic beauty of these lands and preserve them for the enjoyment of future generations of Americans.

I hope that the Subcommittee will act favorably on this legislation.

Nebraska State Legislature

Unicameral
Lincoln, Nebraska 68509

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EIGHTY-NINTH LEGISLATURE

COMMITTEES

Appropriations
Committee on Committees
Performance Review and Audit
Telecommunications
Legislative Council

June 17, 1985

Honorable J. James Exon, Senator
330 Senate-Hart Office Building
Washington, D.C. 20510

Dear Senator Exon:

Thank you for your letter of April 16, 1985 and the copy of S.816 to establish the Pine Ridge Wilderness and Soldier Creek Wilderness in the Nebraska National Forest. I regret that I am unable to be present at the Senate hearing on June 20th at 10:00 a.m., however, I would like to request this letter in support of S.816 be made part of the record.

I have visited with Bob Storch, Forest Supervisor at the Nebraska National Forest Office in Chadron and Marv Liever at the Pine Ridge District Office near Chadron, and believe the proposed areas are appropriate for designation as wilderness. Such designation will have little impact on current uses. As I understand the impact, grazing and hunting would not be adversely affected and there is apparently no interest by mineral exploration companies in these areas. The only possible negative economic impact would be restriction of any future development of the timber resources.

I have lived near and hiked in the proposed wilderness areas all of my life. Their natural beauty and unique terrain make them truly worthy of protection. There is also a growing use of the areas by horsebackers, not only locally, but from much of the state and surrounding region. In summary, I am pleased to see your interest in preserving these areas and support your efforts. Thank you for the opportunity to comment on this proposal.

Very truly yours,

Sandra K. Scofield
State Senator
49th Legislative District

sks:hhm

STATE OF NEBRASKA

ROBERT KERREY • GOVERNOR

June 17, 1985

The Honorable Malcolm Wallop
Chairman, Sub-Committee on Public Lands,
Reserve Water and Resource Conservation,
U.S. Senate
Washington, D.C. 20510

Dear Senator Wallop:

I am writing to express my support for Senate Bill No. 816, Nebraska Wilderness Act of 1985, designating U.S. Forest Service lands situated at the Indian Creek and Soldier Creek Units, Pine Ridge, Nebraska, for wilderness designation.

Currently, the Nebraska Forest has no designated wilderness lands.

The Soldier Creek Unit represents an important historic, topographic and vegetative part of the immediate area, and it is situated adjacent to Nebraska's largest state park--Fort Robinson. The U.S. Forest Service is managing the Soldier Creek Unit in such manner that current recreational opportunities complement the park program in the form of backpack trails, fishing, nature trails and wildlife, etc.

Wilderness status for the Soldier Creek Unit would be most worthwhile because it is an outstanding forest and stream area; a valuable wildlife management area in combination with other State holdings; the best example to be found of an area that can be managed as an undisturbed forest and thereby contributes an important attraction; the upstream fishery management on the Soldier Creek Unit is important to stream management at Fort Robinson State Park, and watershed and flood control for the entire Soldier Creek valley involving the state park and the state fish hatchery at Crawford is centered here.

I respectfully urge the Committee's support for wilderness designation of these two Nebraska Forest Units.

Sincerely,

Robert Kerrey
Governor

RK:mlc

Senator EXON. I also want to introduce to you, my distinguished colleague form the neighboring State of Wyoming, my good friend Vince Rotherham, a long-time and dedicated employee of the Nebraska Game and Parks Commission. Vince is the superintendent of the Fort Robinson State park which is adjacent to Soldier Creek. Superintendent Rotherham knows every bend in Soldier Creek, every bluff, rock and trail in the area. I have spent some of my most enjoyable days with him in this Nebraska wilderness.

He and his wife Marge have been gracious hosts to many thousands of visitors from many States to this scenic area over the years. He will testify on behalf of the Nebraska Game and Parks Commission.

I also call to your attention the presence of two other outstanding Nebraskans who have come here to testify today. And as I understand it, Mr. Chairman, they will join in a panel that will be coming up next. They are Beth Spaugh, the chairperson of the Nebraska Chapter of the Sierra Club, and Ted Hoffman. Ted is also a representative of the Sierra Club and he is from Chadron, NE which is immediatey adjacent to the Pine Ridge area. Beth and Ted also have been pioneers in the recognition and the protection of this beautiful section of our beautiful State.

Mr. Chairman, thank you for your consideration of the Nebraska Wilderness Act. I look forward to working with you to move this bill through the Congress. As we work to accomplish this goal, let us remember the words of the famous naturalist and author, Sigurd Olson, who said, "Wilderness to the people of America is a spiritual necessity, an antidote to the high pressures of modern life, a means of regaining serenity and equilibrium."

If there are any questions, I will be glad to try and respond at this time. But I would simply cite to the chairman that the experts on this are immediately behind me and I hope we can call on them as soon as possible.

Senator WALLOP. Jim, I would be happy to. And I thank you for your statement. I will be particularly happy to hear from Superintendent Rotherham. We in Wyoming have had a lot of experience with Fort Robinson, supplying you with most of the horse soldiers and most of the expertise for the old remount that was down there. I can remember as a child, a number of remount horses with those numbered brands on their jaw being around our part of the world.

And you may be aware that at the turn of the century when my grandfather and my uncle were selling all the horses to the British Army for the Boar War, they established a polo field over in Big Horn and the Army officers from Fort Robinson used to come and play the British Army officers in games of polo. And the only thing interesting about that is that the local cowboys beat them at their own game.

So our two States have a tie that has more than just a common border. We have a lot of people who have traversed that border and have experienced some of the major portions of their lives in one or the other. So we would be happy to consider this legislation.

Senator EXON. Mr. Chairman, thank you very much. And I might say for those that are learning a little bit abour the history of our State and yours as a result of this hearing, we recognize and

appreciate the strong support that we have from our friends over in Wyoming. Many, many Wyoming people come there.

I hope you know that since the accentuated development of the park and Fort Robinson, under the leadership of Superintendent Rotherham, the horse has come back like it never has before. And we are fully aware of the significant role that your distinguished family had to play in the early days, especially with the horse which was the work horse of our section of the country.

And I just want to say for the record, since sometime horsemen, in the selling and buying of horses, have not so pleasant a connotation, I have checked the record and I have found that all of the Wallop horses that were sold were not stolen; they were legitimately bought by the Wallops and you were a great pioneer of the horse in that part of the world.

Thank you very much, Mr. Chairman.

Senator WALLOP. I'm glad at last to have that spread on some sort of official record. Thank you. [Laughter.]

Senator EXON. Thank you very much, Mr. Chairman.

Senator WALLOP. Thank you.

The next witness will be Deputy Chief Lamar Beasley for Programs and Legislation for the Forest Service.

I might just say, Lamar, before you start, that we appreciate very much Deen Boe of the Forest Service, former supervisor of the Nebraska National Forest, who is assigned to this subcommittee for this session of Congress. And I might just say that he was given this subcommittee considerable help on this issue, as well as a number of other ones, and we appreciate your lending him to us on that leave of absence for this period of time.

Mr. BEASLEY. Mr. Chairman, we're pleased that Deen has had this opportunity, too. It works both ways and we are very pleased that he's been able to join your staff for this period of time.

Senator WALLOP. Thank you, Deen.

Mr. BEASLEY. I don't know if we can live with him now, after all that. [Laughter.]

STATEMENT OF J. LAMAR BEASLEY, DEPUTY CHIEF FOR PROGRAMS AND LEGISLATION, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. BEASLEY. Mr. Chairman, it's my privilege to appear before the subcommittee today to offer the Department of Agriculture's views on S. 816 which is a bill to establish the Pine Ridge Wilderness and Soldier Creek Wilderness in the Nebraska National Forest.

As has been pointed out, there's a little over 350,000 acres of National Forest System lands in Nebraska, and at the present time there is no wilderness designated on National Forest System lands. Of course, there is the 4,600-acre Fort Niobrara National Wildlife Refuge which is also designated as wilderness and administered by the Secretary of the Interior.

Section 2 of the bill would designate the two areas, Pine Ridge and Soldier Creek, which total 14,700 acres. Section 3 of the bill pertains to the grazing use which was established prior to the date of enactment of S. 816 and would be administered in accordance

with the Wilderness Act and section 108 of Public Law 96-560. It also directs the Secretary of Agriculture to review all policies, practices, and regulations regarding livestock grazing on wilderness areas in Nebraska to ensure that the intent of Congress is being followed.

Section 5 provides that other National Forest System lands in the State that were reviewed in RARE II be released for multiple uses other than wilderness. This is the same compromise release language that was adopted in the 98th Congress.

The Pine Ridge and Soldier Creek areas—and we do have maps here if you would be interested later—the Pine Ridge and Soldier Creek roadless areas were the only two Nebraska areas that were inventoried in the second roadless area review and evaluation, RARE II. Pine Ridge was recommended for wilderness and Soldier Creek was identified for nonwilderness uses.

The Department of Agriculture recommends that S. 816 be enacted. As stated, we had recommended earlier that Pine Ridge be designated wilderness and we have no objections to Soldier Creek being designated wilderness. We think it is very compatible—Soldier Creek is very compatible with the Fort Robinson State Park and the management objectives of that park.

While there is high potential for mineral—or high to medium potential for mineral occurrence in Soldier Creek, we think the probability for development is low. Therefore, we do not object to its designation.

We appreciate the opportunity to offer our views on the bill, and I would be pleased to respond to questions concerning our statement.

[The prepared statement of Mr. Beasley follows:]

STATEMENT OF
J. LAMAR BEASLEY, DEPUTY CHIEF
FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

Before the Subcommittee on
Public Lands, Reserved Water, and Resource Conservation
of the Senate Energy and Natural Resources Committee

Concerning S. 816, a bill to establish the Pine Ridge Wilderness
and the Soldier Creek Wilderness in the Nebraska National Forest

June 20, 1985

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

I appreciate the opportunity to appear before the Subcommittee to offer the Department of Agriculture's views on S. 816, a bill "To establish the Pine Ridge Wilderness and Soldier Creek Wilderness in the Nebraska National Forest in the State of Nebraska, and for other purposes."

There are a total of only 351,595 acres of National Forest System lands in Nebraska. At present there are no designated wildernesses on National Forest System lands in the State. The 4,600-acre Fort Niobrara National Wildlife Refuge is designated wilderness and is administered by the Secretary of the Interior.

Section 2 of S. 816 would designate two new wildernesses totaling 14,700 acres. Both the 6,600-acre Pine Ridge proposal and the 8,100-acre Soldier Creek proposal are on the Nebraska National Forest. Section 3 provides that these two wildernesses would be administered according to the provisions of the Wilderness Act. Section 3 also assures that grazing use established prior to the date of the enactment of S. 816 would be administered according to the Wilderness Act and Section 108 of Public Law 96-560, and also directs the Secretary of Agriculture

to review all policies, practices, and regulations regarding livestock grazing on wilderness areas in Nebraska to insure that the intent of Congress is followed with regard to grazing.

Section 5 provides that other National Forest System lands in the State of Nebraska that were reviewed in RARE II would be released for multiple uses other than wilderness. Further review of wilderness suitability would not be done again until Forest plans are revised, which would ordinarily occur every 10 years, or at least every 15 years. This is the compromise release language adopted in the 98th Congress.

The Pine Ridge and Soldier Creek roadless areas were the only two Nebraska areas inventoried in the Second Roadless Area Review and Evaluation. The Pine Ridge roadless area was recommended for wilderness and the Soldier Creek roadless area was identified for nonwilderness uses. This recommendation and decision were not reevaluated in the Forest plan for the Nebraska National Forest because the plan was in its final stage of preparation when direction was given to reevaluate the RARE II roadless areas as a result of the Ninth Circuit Court decision in the California v. Block case. Development activities have not been planned in either Pine Ridge or Soldier Creek proposals under the 1984 Forest plan and based upon information we now have we believe there is low probability that any mineral development will occur. Absent Congressional action, these two areas will be managed to maintain their suitability as wilderness until they are reevaluated in the next planned revision of the Forest plan, or until they are evaluated in an environmental impact statement if a development activity were proposed prior to the Forest plan revision.

The Department of Agriculture recommends that S. 816 be enacted. We recommend that the Pine Ridge proposal be designated wilderness as originally recommended by RARE II and do not object to designation of the Soldier Creek proposal for a number of reasons. The Soldier Creek wilderness proposal includes most of the upper part of the Soldier Creek drainage. The lower portion of the Soldier Creek drainage is nearly all included within the Fort Robinson State Park. Both the Federal and State land in the Soldier Creek area have historical value. Fort Robinson, which was the site of a military installation in the late 1800's, was located near the confluence of Soldier Creek and White River. Soldier Creek which runs through the area is one of the more important trout fisheries in the State. The area proposed for wilderness is used by many recreationists because of its unique characteristics and close proximity to the State park. Many individuals and organizations in Nebraska also consider it the prime "wild" area in the State. Based on the present character and use of the area, including indications that there is low probability for mineral development, the Department does not object to Soldier Creek being designated as wilderness.

We appreciate the opportunity to offer our views on this bill. I would be pleased to answer questions concerning our report.

Senator WALLOP. Lamar, I thank you, and I'm certain that the rest of the delegation does, too.

It's my understanding that a significant part of the Nebraska National Forest lies in the State of South Dakota. Is that correct?

Mr. BEASLEY. About three-fourths of it, Mr. Chairman. Something over 700,000 acres is located in South Dakota.

Senator WALLOP. Are there any RARE II roadless lands involved in these areas in South Dakota, and what is their status?

Mr. BEASLEY. There are roadless areas in South Dakota. Three areas are located in Buffalo Gap National Grasslands and then there was some areas located on the Black Hills National Forest, which is also located in South Dakota.

Some of these, however, were dealt with as a part of the Colorado bill.

Senator WALLOP. Those presently have not been designated or recommended for wilderness. Is that correct?

Mr. BEASLEY. At the time that the Colorado Wilderness bill was enacted, it did designate or did classify some areas in South Dakota as wilderness, but the remaining roadless areas were never released. And so we're still managing those to preserve their wilderness characteristics, even though we had recommended nonwilderness status for these areas.

Senator WALLOP. What would be the Department's position on release language in this bill for that, inasmuch as it's part of the forest, yet one set of management——

Mr. BEASLEY. As you recall, Mr. Chairman, in the Colorado bill, it did release the nondesignated areas for Colorado only. It would be our position that it would be very helpful and we would certainly support the release of the remaining roadless areas in South Dakota.

Senator WALLOP. I thank you.

Jim, do you have questions?

Senator EXON. I have no questions.

Senator WALLOP. I would recommend and suggest that you, as well as we, contact the South Dakota Senators with regards to that concept. We don't want to create some kind of a hiatus that will stop the Nebraska bill, but on the other hand it seems that it is much of the management unit; that if it is satisfactory with them, and satisfactory with you, we probably ought to do that as a matter of just legislative accountability.

Mr. BEASLEY. That would certainly be helpful to us, Mr. Chairman. And we, too, would not want to do anything that would disrupt the Nebraska bill. So we would——

Senator WALLOP. If you'll check, we will as well. Thank you very much, Lamar. I appreciate your testimony this morning.

Mr. BEASLEY. Thank you, Mr. Chairman.

Senator WALLOP. The next is Superintendent Vince Rotherham of the Fort Robinson State Park.

Good morning and welcome.

STATEMENT OF VINCE ROTHERHAM, SUPERINTENDENT, FORT ROBINSON STATE PARK, NE

Mr. ROTHERHAM. Mr. Chairman, as park superintendent of a large park in Nebraska, approximately 22,000 acres, we are vitally interested in this bill and hope that you would see fit to pass it.

Mr. Chairman, my name is Vince Rotherham, superintendent, Fort Robinson State Park, NE. I appear before you today on behalf of the Nebraska Game and Parks Commission to express their support for Senate bill No. 816, the Nebraska Wilderness Act of 1985, designating the Soldier Creek and Indian Creek Units located in the Pine Ridge as wilderness area.

The Soldier Creek Unit, consisting of some 8,088 acres, is situated adjacent to Nebraska's largest State park—Fort Robinson.

The U.S. Forest Service is managing the Soldier Creek Unit in such a manner that current recreational opportunities complement the Fort Robinson State Park Program in the form of backpack trails, nature trails, wildlife, and fishing.

In our opinion, there are several important reasons why every effort should be made to designate the Soldier Creek Unit as wilderness areas.

One, the Soldier Creek Unit represents an important, historic, topographic and vegetative part of the immediate area. It has high value for outdoor recreational benefits;

Two, the Soldier Creek Unit, in combination with the State park, has the very valuable feature of providing complete scenic control of the valley and access from the valley to an outstanding forested area;

Three, upstream fishery management in the Soldier Creek Unit is important to stream management in our park;

Four, it is an outstanding forest and stream area not to be found in the park;

Five, it is the best example to be found of an area that can be managed as an undisturbed forest, and thereby contributes an important attraction;

Six, it provides a valuable wildlife management unit in combination with other State holdings in the area; and

Seven, watershed and flood control for the entire Soldier Creek Valley in the park and serving the State fish hatchery at Crawford is centered here.

The Soldier Creek Units is being managed by the Forest Service in such a manner that many of the benefits accruing under wilderness designations are being provided at the present time. With the recent exploration activities for uranium, designation as a wilderness area will provide greater protection to this site. Continued management of the Soldier Creek Unit under wilderness designation will, in our opinion, complement the activities at Fort Robinson State Park.

Since there currently is no designated wilderness in the Nebraska forest, we respectfully endorse wilderness status for both the Indian Creek and Soldier Creek Units.

Thank you.

Senator WALLOP. Thank you, Superintendent Rotherham.

Jim, do you have any questions?

Senator EXON. I have no questions, Mr. Chairman.

Senator WALLOP. Let me just ask one as the first sideline to that. Is there hunting and fishing in the Fort Robinson State Park today?

Mr. ROTHERHAM. Yes, sir. We allow turkey hunting and deer hunting in both the Fort Robinson Park area and in conjunction with the Forest Service in the Wood Reserve area.

Senator WALLOP. And so that activity on the wilderness area and in the Forest Service System is of no complication to your management of the Fort Robinson Park as it is now?

Mr. ROTHERHAM. No, sir. In some of the areas we do issue permits to a number of people in certain areas, but we have about, along with our other wildlife areas, about 35,000 acres, so we divide those up and limit them to so many people per day in each area.

Senator WALLOP. Thank you very much for your testimony and your trip back here.

The next witnesses will sit as a panel in the interest of convenience. That's Mr. Michael Scott of the Wilderness Society in Washington; Elizabeth Spaugh, chair of the Nebraska Chapter of the Sierra Club; Mr. Ted Hoffman, a representative of the Sierra Club from Chadron; and Mr. Ron Klataske, regional vice president, National Audubon Society of Manhattan, KS.

Mr. Scott, you were the first one called, so we'll start with you.

STATEMENT OF MICHAEL D. SCOTT, NATIONAL FOREST WILDERNESS PROGRAM DIRECTOR, THE WILDERNESS SOCIETY, WASHINGTON, DC

Mr. SCOTT. Thank you, Mr. Chairman. Excuse my voice today. I'm just recovering from a cold, so if it gives out on me a bit, bear with me.

I'll summarize the comments of the Wilderness Society, and say we appreciate the opportunity to be here today to testify on Senator Exon's Nebraska Wilderness bill, and the Wilderness Society supports the bill. There will be others here on this panel that will go into greater detail in each of the two areas.

I would like to bring to the committee's attention two other areas worthy of wilderness consideration in Nebraska: Crescent Lake and Valentine National Wildlife Refuges. These two areas have had wilderness recommendations pending on them since the Fish and Wildlife Service did their studies in 1974, and we believe it's time for Congress to take a look at the values of these areas.

Crescent Lake and Valentine are located amid the largest continuous dune areas in North America and they have numerous outstanding values, including the fact that they are the only remnants of the tall grass prairie, Nebraska tall grass prairie ecotype that is in public ownership and capable of being designated as wilderness.

And we would like to urge the committee to consider designation of these areas as wilderness.

So, once again, reiterating, we support Senator Exon's bill and we just thank you for the opportunity to bring the two refuges to the attention of the committee.

[The prepared statement of Mr. Scott follows:]

THE WILDERNESS SOCIETY

TESTIMONY OF MICHAEL D. SCOTT REPRESENTING THE WILDERNESS SOCIETY ON S. 816, THE NEBRASKA WILDERNESS ACT OF 1985, BEFORE THE SENATE SUBCOMMITTEE ON PUBLIC LANDS RESERVED WATER, AND RESOURCE CONSERVATION, JUNE 20, 1985.

Good morning, my name is Michael Scott. I am the National Forest Wilderness Program Director for The Wilderness Society and am pleased to be here to testify on S. 816, the Nebraska Wilderness Act of 1985.

The Wilderness Society supports S. 816. This bill will create much needed wilderness in Nebraska, which currently is home to only one wilderness area, the Fort Niobrara Wildlife Refuge. S. 816 will add to the wilderness system the two areas reviewed during RARE II. These areas, Pine Ridge and Soldier Creek, totalling 14,700 acres, represent what was once the vast Nebraska wilderness. As Senator Exon, the bill's author puts it:

> "Designating these two unique areas as wilderness areas will set aside a few of the last remaining wildlands in our state . . . "

Some have raised the potential for conflict, both from a management and resource perspective. The loss of potential uranium mining has been raised as a possible reason for preventing the designation of these two areas as wilderness. This argument doesn't stand up to present day realities, given the dramatic decrease in such mining. Pine Ridge and Soldier Creek are the only two potential Forest Service wilderness areas in Nebraska and as

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such, they are a fairly scarce commodity. Uranium, on the other hand, is a commodity in good supply. But prices and demand are down to such low levels that existing mines in Wyoming, New Mexico, Utah, and Colorado are shut down with no prospect for reopening soon. The only uranium mining going on in the United States is on the Arizona Strip, where the deposits are 10 to 20 times richer than any other place in the U.S. Deposits in Nebraska don't begin to approach the grades found on the Arizona Strip. Existing mines in the West would come back on line long before new mines, with high start-up costs, would be opened. In addition, it is possible that even if the two areas were not designated wilderness, and the uranium industry experienced a dramatic upswing, mining might be precluded because of the proposed extraction method. The solution mining that would be used in this case has raised the concern of many local residents and officials because of its possible damaging effects to groundwater. In summary, uranium is not in short supply but Nebraska wilderness is.

The threat of wildfire has also been mentioned as a reason to question the value of wilderness designation. Because both areas are small and surrounded by private land, the argument goes, if a fire starts in one, it could quickly spread to adjacent private land. These concerns can be laid to rest. Wilderness designation does nothing to change the Forest Service's ability to fight any fire that threatens life or property and, if necessary, the Forest Service could use vehicles generally prohibited from wilderness areas. In addition, Forest Service regulations allow prescribed fires to be set to "Reduce, to an acceptable level, the risks and

consequences of wildfire within wilderness or escaping from wilderness." (Federal Register Vol. 50 No. 31 pg. 6224, Feb. 14, 1985) It is clear that Pine Ridge and Soldier Creek are worthy of wilderness designation. Their wilderness values are high and the conflicts are low.

We would also like to bring to the Committee's attention two other areas worthy of wilderness consideration: Crescent Lake and Valentine National Wildlife Refuges. These two areas have had wilderness recommendations pending since 1974, and we believe it is time for the Congress to act on these recommendations.

Crescent Lake is located amid the largest continuous dune area in North America. This 46,000 acre tract is one of the best remaining examples of the tall grass prairie-sandhills ecotype that used to be widespread in the midwest. The Fish and Wildlife Service proposed a wilderness area of 24,500 acres that has yet to be acted on by the Congress.

Sharptail grouse, long-billed curlew and waterfowl are found on this refuge along with numerous other species. The Fish and Wildlife Service has identified at least 30 grouse mating areas, known as dancing grounds, on or near the refuge. Both mule deer and white-tailed deer are found on the area and upland sandpipers are common.

The Valentine Refuge is another sandhills-type area, containing 71,500 acres of tall grass prairie including 36 natural lakes and many meadows and marshes. Valentine is a National Natural Landmark because of its environmental significance.

The species complex at Valentine is similar to that found at Crescent Lake with certain special differences. The Wilson's phalarope, an unusual shorebird, is thought to be more notable here than at Crescent Lake, trumpeter swans have become established here, and upland sandpipers are common. The proposed wilderness is in the southwest corner of the refuge and surrounds Dads Lake and Mule Lake. The greater prairie chicken is also found on this refuge.

Public comment in 1974 was overwhelmingly in favor of wilderness designation for these two refuges with opposition being raised primarily by the livestock industry. Since 1974, however, grazing has fallen 83% in Crescent Lake and 63% in Valentine, thus drastically cutting any potential conflicts. And as the Committee knows, in 1980 a new compromise was worked out between the Congress, environmentalist, and the cattle industry more clearly specifying what grazing activities may take place in wilderness. We believe this should allay grazers' concerns.

The two refuge areas would add needed diversity to the wilderness system. They are currently the only lands in public ownership representative of the tall grass prairie ecotype capable of being designated wilderness. We urge the Committee to consider these two areas for wilderness designation.

Thank you for the opportunity to testify before you today in support of S. 816 and to explain the wilderness values of Crescent Lake and Valentine National Wildlife Refuges. I would be happy to answer any questions.

Senator WALLOP. Thank you very much.
Ms. Spaugh.

STATEMENT OF ELIZABETH SPAUGH, CHAIRPERSON, NEBRASKA CHAPTER, THE SIERRA CLUB, LINCOLN, NE

Ms. SPAUGH. I would like to thank you also for this opportunity to appear before the committee today, and I'd like to thank——
Senator WALLOP. Can you correct my pronunciation?
Ms. SPAUGH. It is Spaugh. Yes.
Senator WALLOP. OK, thank you.
Ms. SPAUGH. I'd also like to thank Senator Exon for his leadership in recognizing the need for protection of these areas. I'd like to point out and highlight, as the Senator said, that the vast majority of our land is privately held in Nebraska. Only about 1 percent is publicly held.

The designation of Soldier Creek and Pine Ridge would protect about three-one hundredths of 1 percent of the land area of Nebraska. So we're really talking about a very small area there, and it is significant that this land be set aside for all Nebraskans and for future generations for their esthetic, for their emotional benefit, for scientific benefit, as a preserve of ecotypes, as a preserve of genetic pools.

The two areas that have been proposed are the Soldier Creek and Pine Ridge and we believe they're both outstanding examples of Pine Ridge habitat. They contain the easternmost stands of the western trees, the Colorado ponderosa pine and aspen. They also contain the westernmost stand of eastern trees, such as the bur oak. And they have significant wildlife habitat, prairie falcons, golden eagles, swift foxes, elk, and so forth.

It's a very significant area. It's a very popular vacation area in the State, beautiful bluffs, and canyon scenery. We're gratified at the lack of controversy and the broad support this bill has received within Nebraska and within the delegation.

Part of this is because the areas are currently managed as wilderness, as an administrative matter, and that wilderness designation would not change their current management. The Forest Service would continue to manage these two areas. Hunting, fishing, and grazing would continue to be allowed, as they are now. Fire suppression would be allowed, as it is now. The only difference would be that Congress has taken a conscious step to protect these areas for future generations.

We would like also to request that the committee make one change, and that is the inclusion of portions of Crescent Lake and Valentine Wildlife Refuges. These are large areas in the Sand Hills where you can actually get a wonderful vista and a feeling of the open expanse of the prairie. You can stand in there and look around for miles and all you see are a few windmills and a few fences and some cattle.

It's an extremely important area ecologically. These areas also are managed as if they were wilderness and wilderness designation would not complicate their management in any of the areas, as we mentioned, for the Pine Ridge or the Soldier Creek.

So, in conclusion, we'd like to thank again Senator Exon for his leadership on this and ask the committee to move quickly toward enactment of this bill.

[The prepared statement of Ms. Spaugh follows:]

Testimony Presented to the

Public Lands, Reserved Water, and Resource Conservation Subcommittee

of the

Energy and Natural Resources Committee

of the

United State Senate

June 20, 1985

by

Elizabeth Spaugh
Chairperson
Nebraska Chapter of the Sierra Club

Thank you very much for this opportunity. I am Beth Spaugh, Chairperson of the Nebraska Chapter of the Sierra Club. I come today representing our membership across the state to urge this Committee to adopt the Nebraska Wilderness Act of 1985. Wilderness protection of these areas has been a Nebraska Chapter priority for many years.

The Sierra Club strongly supports the Nebraska Wilderness bill. Wilderness areas are of great value to members of the public. They offer unique opportunities for people to enjoy our natural heritage in that - its natural state. Wilderness areas give people the chance to observe, to relax, and to draw strength from our natural world. In short, they allow people to "re-create." Wilderness areas serve also a genetic pools and natural preserves for scientific benefit, resources likely to be lost without conscious protection.

We need wilderness in Nebraska. The vast majority of land in our state is privately owned and unavailable for use by members of the general public. Public lands comprise only about 1 percent of the land area of Nebraska. The Nebraska Wilderness bill would set aside 3 % of that remaining 1 % for all the people to use and enjoy in perpetuity. This bill would all a tiny fraction, less than 3/100 of one percent of Nebraska land, to remain for all Nebraskans and future generations.

The two areas proposed for inclusion in the wilderness system are the Pine Ridge Wilderness and the Soldier Creek Wilderness. The Pine Ridge Wilderness contains the best representation of the eastern range of Ponderosa pine available. The Soldier Creek Wilderness lies adjocent to Fort Robinson State Park and is a valuable recreational complement to the park. Both areas lie within the Pine Ridge Escarpment in northwest Nebraska - a very beautiful and popular vacation area in the state.

The broad support and lack of controversy over wilderness designation of these areas is very gratifying. These areas are managed now as if they were in the wilderness system; management practices will not change with wilderness designation. The Forest Service will continue to manage these areas. Hunting, fishing, and grazing will continue as now. Fire suppression will still be allowed. The difference will be protection assurred by Congress rather than subject to administration whim.

We do request that the Committee make one change to the bill as submitted. We request that portions of two wildlife refuges in the state, the Valentine and Crescent Lake Wildlife Refuges in the beautiful and unique Sandhill region of the state, be included in the bill and thereby protected as wilderness also. These areas are appropritate for inclusion in the bill for several reasons:

1. They are largely untrammeled by people now and, therefore, fit the definition of wilderness as set forth in the Wilderness Act of 1964;
2. They are now managed as if they were wilderness, thus making the effect of inclusion simply assurance that protection becomes permanent; and
3. Inclusion of the areas would not to our knowledge present any administrative or management difficulties.

Consequently, we urge the Committee to include these areas for protection.

In conclusion, we would like to thank the Committee for the opportunity to testify in support of the Nebraska Wilderness Act of 1985. We urge the Committee to move promptly toward enactment. If there are any questions, I will be please to answer. Thank you.

Senator WALLOP. Thank you very much.
Mr. Hoffman.

STATEMENT TO TED HOFFMAN, CHADRON, NE, ON BEHALF OF THE NEBRASKA CHAPTER, THE SIERRA CLUB

Mr. HOFFMAN. Thank you, Mr. Chairman. My name is Ted Hoffman, and as Senator Exon mentioned, I live within a very short drive from both of these areas. I visit them periodically and, in my opinion, they represent not only a wonderful recreation experience for local people, but also for the visitors who drive from a further distance.

The cliffs not only provide the nesting areas for the golden eagle, they also represent a tremendous panorama of beauty that provides the fuel to renew the spirit.

The rest of my testimony would actually be redundant from what has already been said, but I would like to add that everyone is painfully aware of the poor economic conditions of the farm and ranch rural area. I believe that the two areas, in conjunction with the historical Fort Robinson, we also have a beautiful and well-managed Chadron State Park south of Chadron. I believe that these two wilderness areas would help increase our tourist industry and be an economic plus for the local communities.

Thank you very much.

[The prepared statement of Mr. Hoffman follows:]

TESTIMONY OF MR. TED HOFFMAN OF CHADRON, NEBRASKA SUPPORTING THE NEBRASKA WILDERNESS ACT OF 1985 (S. 816) BEFORE THE SENATE SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION--JUNE 20, 1985

I am Ted Hoffman from Chadron, Nebraska, representing the Nebraska Chapter of the Sierra Club. I am testifying in favor of the proposed Pine Ridge Wilderness and Soldier Creek Wilderness in Nebraska. I live near the areas and visit them both on a periodic basis. Both the areas provide excellent recreational experiences for local residents as well as visitors who travel long distances.

Both the Pine Ridge and Soldier Creek units lie within the High Plains landform and the Eastern Ponderosa Pine ecosystem. The Eastern Ponderosa Pine is unique to the Pine Ridge escarpment and the upper reaches of the Niobrara River. Except for a few Eastern Ponderosa Pines at Fort Niobrara on the Niobrara River, there is presently no wilderness protection for either of these categories.

Both areas provide habitat for deer, wild turkeys and numerous non-game species. The weather sculptured cliffs, with mantles of pine trees clinging to steep slopes below, provide a panorama of spectacular beauty. Visiting and viewing these scenes provides the fuel that enriches the spirit.

The Soldier Creek Unit, along with Fort Robinson, is rich in historical significance. The area, known locally as the timber or wood reserve, had its beginnings in the series of events that took place in the 1870's when Fort Robinson was established. Thousands of board feet of timber was removed from the timber stands of the area to furnish lumber and firewood for the Fort.

During World Wars 1 and 11, thousands of cavalry horses and mules were grazed upon the area. It also provided recreation for soldiers stationed at the Fort.

We need to have these pieces of our heritage set aside and protected under the Wilderness Act. Both units are presently being managed in a wilderness setting. However, the present means of management can be administratively undone. If Congress sets them aside as wilderness, it will take a Congressional act to undo it.

Granted, the areas are small when compared with mountain and desert wilderness areas. The size presents problems not apparent in larger areas. In general the areas are surrounded by privately owned land and the landowners' major concern is fire suppression and noxious weed control. I recommend that these two items either be resolved in the legislation or through administrative procedures.

While writing this testimony, I received word that reproduction of brown trout in the South Fork of Soldier Creek was progressing satisfactorily and that the Nebraska Game and Parks Department would discontinue artificially restocking the creek with fish. Thus, there would no longer be a need for the mechanized equipment for restocking purposes.

Finally, everyone is painfully aware of the depressed rural farm and ranch economy. Small towns are hurting along with the farmers and ranchers. Establishing two wilderness areas in conjunction with historical Fort Robinson and our beautiful and excellently managed Chadron State Park should help increase tourism and be an economic plus for the local communities.

Senator WALLOP. Mr. Klataske.

STATEMENT OF RON KLATASKE, REGIONAL VICE PRESIDENT, WEST CENTRAL REGION, NATIONAL AUDUBON SOCIETY

Mr. KLATASKE. Mr. Chairman, other members of the committee and staff, and Senator Exon, I thank you also for the opportunity of being here this morning. I have represented the National Audubon Society and our members and chapters in Nebraska for the past 15 years. Prior to that I worked for the Wyoming Fish and Game Department, and in the summer of 1965 at the Valentine National Wildlife Refuge in the Sand Hills of Nebraska.

Within the West Central region, the National Audubon Society has regarded wilderness preservation on public lands managed by the Forest Service as one of our highest priorities, particulary protection of the Irish Wilderness in Missouri and the Arkansas Wilderness bill, both of which were passed in the last Congress and we thank you for that.

Our members througout the State of Nebraska are very supportive of this measure and I am here today to provide a measure of that endorsement. The Nebraska Audubon Council also phoned in a separate statement yesterday and I have provided the committee with a copy of that.

Throughout the Great Plains States, from the Canadian border south to the Rio Grande River, from the Ozarks westward to the Rocky Mountains, there are very, very few areas that have been or ever will be protected in this Nation's wilderness preservation system. There are absolutely none in some States, such as in Kansas, and only one other presently designated wilderness area in Nebraska. This is the 4,635-acre Fort Niobrara National Wildlife Refuge Wilderness area.

Taken in this context, the two proposed additions take on added importance to both the State and the region. In a State of nearly 50 million acres, inclusion of 14,700 acres additional area into the wilderness preservation system may appear to be modest, but it is of great significance because these areas are natural and scenic jewels. This action also reflects the enlightened public view that wilderness designation of these areas will help to underscore appreciation and enjoyment of the public land and the diverse natural landscape of northwesten Nebraska.

I came to Washingtron yesterday from the National Convention of the National Audubon Society which is being held this week in the Adirondacks of New York. It came as a surprise to me to learn that the Adirondack Forest Preserve was founded during the legislative year of 1985. Communities in that area are preparing to celebrate the centennial of that historic event. The 6-milllon-acre park established with a "forever wild" concept is the pride of that State.

Likewise, we believe that citizens of Nebraska and others throughout the country will take a great deal of present and future pride in the accomplishments of this committee and greatly appreciate the leadership and foresight of Senator Exon, if this legislation is enacted. We thank you for considering this proposal and urge the committee to give it your unanimous support.

[The prepared statements of Mr. Klataske and Mr. Knott follow:]

Ron Klataske, REGIONAL VICE PRESIDENT
Ed Pembleton, REGIONAL REPRESENTATIVE
Linda Pease, REGIONAL SECRETARY

Arkansas
Kansas
Missouri
Nebraska
Oklahoma

National Audubon Society

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STATEMENT OF

RON KLATASKE

REGIONAL VICE PRESIDENT, WEST CENTRAL REGION

NATIONAL AUDUBON SOCIETY

BEFORE THE

SENATE SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION

REGARDING

SENATE BILL 816

JUNE 20, 1985

My name is Ron Klataske and I am West Central Regional Vice President for the National Audubon Society. I have represented Audubon members and chapters in Nebraska and four other states for the past 15 years. Prior to that I worked for the Wyoming Game and Fish Department, and in the summer of 1965, at the Valentine National Wildlife Refuge in the Sand Hills of Nebraska.

Within the West Central Region the National Audubon Society has regarded wilderness preservation on public lands managed by the U.S. Forest Service as one of our highest legislative priorities, particularly protection of the Irish Wilderness in Missouri and the Arkansas Wilderness Bill. Both were enacted during the 98th Congress.

Although our office has not been active up to this point in building support for Senator Exon's bill, our members throughout the state are supportive and I am here to provide a measure of that endorsement. The Nebraska Audubon Council phoned a statement to me yesterday and a copy is attached. We plan to give our Nebraska members and Senator Exon's proposal much greater support in the weeks ahead.

Throughout the Great Plain states from the Ozarks to the Rocky Mountains and from the Canadian border to the Rio Grande River, very few areas have been -- or ever will be -- protected in this nation's wilderness preservation system. There are absolutely none in some states, like Kansas, and only one other presently designated wilderness in Nebraska. That is the 4,635 acre Fort Niobrara National Wildlife Refuge wilderness area.

Taken in this context, the two proposed additions take on added importance to both the state and region. In a state of nearly 50 million acres, inclusion of 14,700 additional acres into the wilderness preservation system may appear to be modest, but it is of great significance because these areas are natural and scenic jewels. This action also reflects the enlightened public view that wilderness designation of these areas will help to underscore appreciation and enjoyment of the public land and the diverse natural landscape of northwestern Nebraska.

I came to Washington yesterday from the national convention of the National Audubon Society which is being held this week in the Adirondacks of New York. It came as a surprise to me to learn that the Adirondack Forest Preserve was founded during the legislative year of 1885. Communities in that area are preparing to celebrate the centennial of that historic event. The 6 million acre park established with a "forever wild" concept is the pride of that state.

Likewise, we believe that citizens of Nebraska and others throughout the country will take a great deal of present and future pride in the accomplishment of this Committee, and greatly appreciate the leadership and foresight of Senator Exon, if this legislation is enacted. We thank you for considering this proposal and urge you to give it your unanimous support.

STATEMENT OF

TIMOTHY R. KNOTT

ON BEHALF OF

THE NEBRASKA AUDUBON COUNCIL

PRESENTED TO THE

SENATE SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION

REGARDING

SENATE BILL 816

JUNE 20, 1985

The Nebraska Audubon Council with chapters serving members in Lincoln, Omaha, Hastings, Kearney, northeast Nebraska and in the Panhandle strongly supports Senator Exon's proposal to designate the Soldier Creek and Pine Ridge tracts in the Nebraska National Forest as federally protected wilderness. We appreciate Senator Exon's foresight and leadership in the protection of the relatively small amount of land available for wilderness designation in Nebraska.

According to the State Comprehensive Outdoor Recreation Plan (SCORP) prepared by the Nebraska Game and Parks Department for 1984, "Nebraska public land open to recreation continues to be one of the lowest in the nation -- less that 1 1/2 percent of the state's area." Because of the relatively small amount of public land in the state, the Nebraska Audubon Council believes it is very important to protect and preserve at least part of that land from possible overuse and degradation and to allow for continued public appreciation and benefit.

The two areas being considered, the 8,100 acre Soldier Creek tract and the 6,600 Pine Ridge tract, are, we believe, the best examples of Pine Ridge Rocky Mountain forest vegetation in the state. The Soldier Creek area is especially valuable because of the two trout streams, the variety of wildlife and the scenic bluff and canyon topography. The Pine Ridge tract is similar and also has good examples of short and mixed grass prairie habitat.

The Nebraska Game and Parks Department considers these areas the prime examples of Pine Ridge habitat in Nebraska with breeding populations of prairie falcons, golden eagles, possible merlins and other raptors rare in the

state. Also found are mule deer, wild turkey, bobcat and swift fox. The vegetation type, similar to the open ponderosa pine forests of the Rocky Mountain foothills, has occasional stands of aspen and bur oak with short or mixed grass prairie ground cover and is unusual for being found in the middle of the Great Plains.

Although wilderness designation for a larger segment of the Nebraska National Forest is preferable and needed, we urge the Committee to adopt the legislation proposed by Senator Exon and give future Nebraskans the opportunity to enjoy this exceptional area.

We would also urge the Committee to consider, at the earliest possible time, providing wilderness protection for parts of the Crescent Lake National Wildlife Refuge and the Valentine National Wildlife Refuge. These areas are valuable as breeding areas for a number of relatively uncommon waterfowl and shorebirds such as the American avocet and long billed curlew, and as potential habitat for trumpeter swans. The areas are excellent examples of unique Sand Hills lake and grassland habitat.

We believe that wilderness designation for a portion of these two national wildlife refuges could be accomplished in a manner that would protect the public interest in this public land, while complementing ongoing management for other purposes and public use on the remainder of the land within the boundaries of the two refuges. In addition, livestock grazing could continue and the operational interests of the ranchers who lease these areas for that purpose could be safeguarded. The areas are being managed for their wilderness values at present; designation would acknowledge and give permanency to this fact.

Mr. KLATASKE. I would like to add just two footnotes to this statement. One is that I draw your attention to the fact that these two wilderness areas will be within easy reach of most of the citizens of Wyoming and as close to most of the citizens of Wyoming as they will be to many Nebraskans.

In addition to that, I would like to request that you not include release language for the South Dakota portion of the Nebraska National Forest. I am familiar with some of those roadless areas up there. I've photographed them, and hiked some of them. Some of those roadless areas have tremendous scenic beauty and wildlife values. For the most part, they are badlands in character and some are directly associated with and close to the Badlands National Park in South Dakota.

I think those values should be considered separately. I also think that we shouldn't take that opportunity away from the citizens of South Dakota without giving them separate opportunity to consider whether or not they should be included or should be released.

I also think that when word gets out that this could release those roadless areas in South Dakota, it could jeopardize this bill, and I think that Senator Exon's bill is a fine bill and it should not be jeopardized by what might happen within the boundaries of other States.

Senator WALLOP. Well, it may be within the boundaries of other States, but its not within the boundaries of other forests, and what we suggested was tha we not cut the citizens of South Dakota out, but that we go directly to their representatives if that is the case.

And nobody has said that it would be or not, but that's the process by which we would do it. We wouldn't just lay it on and have them witness a surprise on the floor. That would not be the way the subcommittee operates, or the committee.

Mr. KLATASKE. My concern is that they are not presently aware that this would affect those areas and——

Senator WALLOP. They will be. I think your concern really just doesn't track the reality of wilderness legislation. It always is know, and immediately, what people seek to do or not to do in those areas.

Jim, did you have any questions?

Senator EXON. Yes, Mr. Chairman. If I might just take a moment, I want to introduce my friends from Nebraska to the distinguished member of the subcommittee who has just joined us. Senator Hecht from Nevada has just joined us. He's a new Member of the U.S. Senate. And, Chic, I'd appreciate very much if you'd take a look at this bill and give us your active support.

I know in your area you're concerned about pristine areas, we're very much concerned about them in Nebraska and we appreciate your taking the interest and time to come over this morning and listen in on our discussion.

Michael Scott, thank you very much for coming this morning. We appreciate the help and support we've had from the Wilderness Society on this measure.

I just want to say, Mr. Chairman, that Elizabeth Spaugh, Ted Hoffman, and Ron Klataske are great Nebraskans who have put in a great deal of time and effort for things of this nature, and I

thank them and appreciate very much the fact that they took time to come in this morning to testify.

I noticed and heard for the first time, Ron, that you were formerly a resident of Wyoming. I didn't know that. I would have hoped, therefore, that since you were a resident of Wyoming, you might lend some credence to my earlier statement with regard to the background of the chairman and his family. I hope, being from Wyoming, since we don't want to mislead the committee or enter anything into the record that would not be truthful, it is true that as far as you know, there were no horse thieves in the family of the chairman of the committee. Isn't that pretty well established in Wyoming?

Mr. KLATASKE. I don't think I've done research on that subject, so I'll have to pass on that.

Senator EXON. You see how careful they are not to try and mislead anyone, Mr. Chairman.

Mr. KLATASKE. But I'm sure you're right.

Senator EXON. Thank you very much. We appreciate your coming.

Senator WALLOP. Senator Hecht.

Senator HECHT. I'm glad no one was here from Nevada.

Jim, nice to be here. You know, we have this press of three different committees at one time, so I'm glad I was in here.

Senator EXON. I have three other committees going on right now.

Senator HECHT. You know what it's all about.

But believe me, I will look into this. Next weekend, members of our congressional delegation are going to tour our State with Congressman Seiberling on our own wilderness bill, so I'm trying to learn as much about it before then.

Thank you, Jim.

Senator WALLOP. Well, thank you all for your presence here this morning. I know it's an effort to leave that part of the world and come to this, especially in the summertime. But I suspect that perhaps one of the reasons we have such an agreeable day is perhaps that you all came here and brought it with you. And we thank you for that.

With that, the subcommittee stands adjourned.

[Whereupon, at 10:40 a.m., the hearing was adjourned.]

APPENDIX

Response From the Department of Agriculture to an Additional Question From Senator Bumpers

JAMES A. McCLURE, IDAHO, CHAIRMAN
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United States Senate
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
WASHINGTON, DC 20510

June 20, 1985

Mr. J. Lamar Beasley
Deputy Chief for Programs
and Legislation
Forest Service
P.O. Box 2417
Washington, D.C. 20013

Dear Mr. Beasley:

This morning the Subcommittee on Public Lands, Reserved Water and Resource Conservation held a hearing on S. 816, a bill to establish the Pine Ridge Wilderness and the Soldier Creek Wilderness in the Nebraska National Forest. Enclosed is a question from Senator Bumpers regarding this bill.

So that the bill may be placed on the Full Committee's agenda for upcoming business meetings as soon as possible, a timely response would be greatly appreciated.

Thank you for your assistance. If you should need further information, please contact Tony Bevinetto of the Subcommittee staff, at 224-5161.

Sincerely,

Malcolm Wallop

Malcolm Wallop
U.S. Senator

MW/TB:af

Enclosure

QUESTION OF SENATOR BUMPERS

Submitted to the Department of Agriculture
Concerning S. 816, a bill to establish the Pine Ridge Wilderness and the Soldier Creek Wilderness in the Nebraska National Forest

June 20, 1985

On page 2 of the Department's testimony, it is stated that with regard to the Soldier Creek roadless area, "...there is low probability that any mineral development will occur." What is the nature of the mineral resource (oil, gas, coal, etc.?) which caused the Department to originally question the suitability of this area for wilderness? What information does the Department now have which provides the rationale for its reevaluation?

United States Department of Agriculture | Forest Service | WO

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Reply to 1510

Date JUL 1 1985

Honorable Malcolm Wallop
United States Senate
Washington, DC 20510

Dear Senator Wallop:

In response to your question on S. 816 regarding mineral resource values for the proposed Soldier Creek wilderness in Nebraska, here is the background information that we have.

According to basic mineral resource inventory information, virtually all the National Forest System land managed by the Nebraska National Forest has a medium to high potential for leasable minerals (oil and gas). There are existing leases within the Soldier Creek area. Exploratory drilling that has recently been done in the vicinity of the area has shown the occurrence of hydrocarbons, but not in producible quantities. Because of these findings, we now believe the probability for development is low.

In addition to the oil and gas leases, mining claims have been made in the Soldier Creek area principally because of an interest in uranium deposits within this general part of western Nebraska. Exploratory core drilling has been done within the Soldier Creek area, but from the indications that we have been given there appears to be a low probability for development.

To the east of the proposed Soldier Creek wilderness, approximately 8 1/2 miles, there is a uranium orebody that is being proposed for development by the Wyoming Fuel Company. Enclosed is a letter to Senator Exon from the Wyoming Fuel Company indicating their nonobjection to the proposed designation. Also enclosed is a recent summary of the mineral resource information provided us by the Bureau of Mines of the Department of the Interior.

Sincerely,

for R. Max Peterson
Chief

Enclosures (2)

FS-6200-11(8-80)

Wyoming Fuel Company

12055 W. Second Place • P.O. Box 15598 • Lakewood, Colorado 80215 • Telephone (303) 989-5037

PAUL C. JONES
President

February 15, 1985

Mr. William G. Schiffbauer
Office of Senator J. James Exon
Room 330
Hart Office Building
Washington, D.C. 20510

Dear Mr. Schiffbauer:

Thank you very much for your kind letter of February 8, 1985 enclosing a map of the proposed Soldier Creek Wilderness Area in the Nebraska National Forest.

We reviewed the location of the proposed Soldier Creek Wilderness Area with relation to our mining leases. We find that our nearest lease is approximately three miles east of the eastern boundary. Our main Crow Butte uranium orebody is located approximately eight and one-half miles east of the eastern boundary of the proposed wilderness area. Our pilot plant site for the Crow Butte Pilot Plant will be located approximately eleven miles east of the same point. For this reason, I do not see any direct impact that a proposed wilderness area at the Soldier Creek site would have on the Crow Butte Project.

As a matter of historical interest the Soldier Creek area of Fort Robinson State Park was staked for unpatented mining claims by another major mining company in 1981. Subsequently, a second mining company drilled several drill holes in the area under permit from the U.S. Forest Service.

We had understood that the proposed wilderness area might include some other Federal lands between Crawford and Chadron. If this is still the case we would appreciate knowledge of that area since we do have considerable mining leases located to the east of Crawford.

Thank you very much for considering Wyoming Fuel Company's mineral interest in this area prior to designating it a wilderness area.

Very truly yours,

Paul C. Jones

PCJ/au
cc: Stephen P. Collings
Thor Gjelsteen
Ralph Knode
Stuart L. Wheeler
Director Governmental Affairs
K N Energy, Inc.

SENATE BILL S. 816

Area Name, Number, Classification, Size	State
Soldier Creek Wilderness-Proposed 2002 Proposed Wilderness Area 8,100 acres	Nebraska National Forest Nebraska

Mineral Commodity Significance

Potentially commercial deposits of uranium occur in rocks of the White River Group within 12 miles of the WSA. The uranium host formation also underlies the study area. Uranium deposits in the region are often highly localized. Site-specific investigation would be required to evaluate uranium potential of the WSA.

Mesozoic and Upper Paleozoic sediments underlying the study area contain oil and gas in western Nebraska, South Dakota and Wyoming. Exploration drilling in the vicinity of the WSA has shown the occurrence of hydrocarbons, but not in producible quantities.

Industrial rocks and minerals, including sand and gravel, bentonite, zeolites, and volcanic ash, occur at or near the surface in much of western Nebraska. Such deposits may exist in the study area, but similar deposits are available elsewhere in the region.

Sedimentary rocks of the study area have potential as collection sites for Tertiary fossils and for gemstones including agate, chalcedony, and petrified wood.

Recorded Production

None

Mining Districts, Mines, and Claims

Wyoming Fuel Company has obtained state and federal permits for research and development toward in situ mining operations of uranium 12 miles east of the WSA. The project has not yet started.

Recent Company Activity

Exploration for uranium is ongoing in western Nebraska, particularly by Wyoming Fuel Company and Ferret Exploration Company.

Oil and gas exploration continues in the region.

Mineral Setting

Stratigraphy of the study area is composed of a thick sequence of sedimentary rocks. Bedrock is comprised of Tertiary sandstones, siltstones, clays, and volcanic ashes, and may have potential for deposits of industrial rocks and minerals and uranium. Mesozoic and Paleozoic sediments at depth may act as reservoirs for oil and gas accumulation.

Recommendations

Site specific investigation, including drilling programs, would be necessary to fully evaluate the study area's potential for uranium and oil and gas deposits.

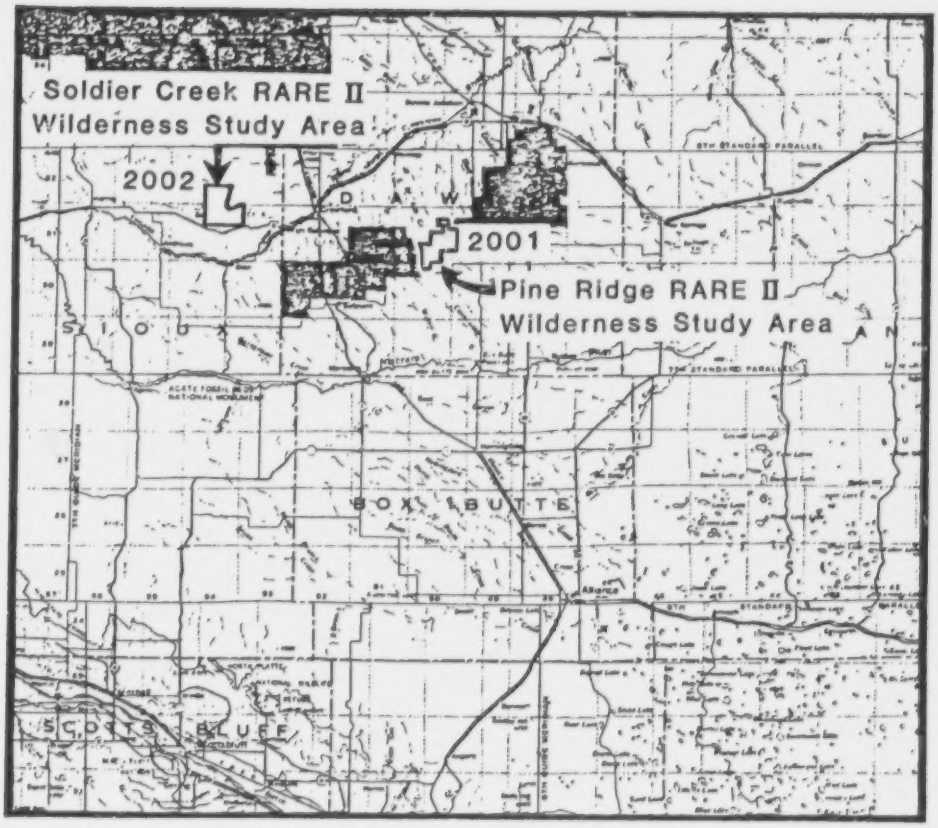
References

Burchett, R. R., 1969, Geologic bedrock map of Nebraska: Nebraska Geological Survey, scale 1:1,000,000.

Burchett, R. R., and Eversol, D. A., 1974, Inventory of mining operations in Nebraska: Nebraska Geological Survey Research Report no. 7, 143 p.

Dunham, R. J., 1961, Geology of uranium in the Chadron area, Nebraska and South Dakota: U. S. Geological Survey open file report prepared on behalf of the Atomic Energy Commission, 243 p.

Fabian, R. K., 1976, Minerals and gemstones of Nebraska: University of Nebraska Conservation and Soil Division Educational Circular no. 2, 86 p.



Approximate location of the proposed Pine Ridge and Soldier Creek Wilderness areas, Dawes and Sioux Counties, Nebraska